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10/808,324

03/25/2004

Jin-Doo Kim

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EXAMINER

HECKERT, JASON MARK

ART UNIT

PAPER NUMBER

1792

MAIL DATE

DELIVERY MODE

02/12/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|-------------------------------------|--|
| Office Action Summary | Application No. 10/808,324 | Applicant(s) KIM, JIN-DOO | |
| | Examiner JASON HECKERT | Art Unit 1792 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-13 and 15-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-13 and 15-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/23/07 has been entered.

Response to Arguments

2. Due to the applicant's amendments to the claims, the previous rejections are rendered moot.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 1, 3-11,13, 15-19, 22-24 rejected under 35 U.S.C. 103(a) as being unpatentable over Buscella in view of Ramsauer. Buscella discloses a latch for a washing machine door. The cabinet, transparent part, and frame are considered to be well-known and obvious in the art. Buscella's device is specifically drawn to the latch mechanism. Buscella discloses a handle 5 comprising an elastic unit 10 securing catch 4 in a known manner to the washing machine. Part 5 reads on a first lever part, part 12

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reads on a second lever part. The upper part of catch 4 reads on a fourth lever part, and the lower part of catch 4 reads on a third lever part. When actuated, the user pulls part 5 causing part 12 to flex or abut the lower part of catch 4, which in turn opens the lock. Handle 5 is wider than part 12. Buscella does not disclose hinges, and for the most part, the handle mechanism is fashioned to be integral. In place of hinges, Buscella utilizes elastic components that are capable of flexing without hinges.

However, it was well known at the time of the invention to utilize levers attached to hinges to active a hand-operated lock. Ramsauer discloses a locking mechanism that is actuated by levers and hinges. The locking mechanism comprises a handle 20 attached to a first hinge unit at 104, a latch attached to a second hinge unit at 22, and an elastic unit 74 that biases said second hinge unit in a locked position. The handle part contains a first lever part, the majority of the bar, and a second lever part integrated with the first, the smaller tip 50. The latch contains a third lever part to the left of hinge 22, and a fourth lever part to the right of 22 with a hook 30 that fits in hole 114 in the cabinet. The third and fourth lever parts are integrated and the third is in contact with the second. When the first lever part is pulled, part 50 pushes the third lever part, and the elastic part 74 is compressed allowing the latch to be rotatably released. The latch penetrates a through-hole 120 in the door. The second hinge part comprises support members 46, rotatably supporting a hub with walls 56 and 58. Unit 22 has a shaft. Bearing 54 passes through the shaft and the hub and is supported by walls 56 and 58. The hub acts as the center of rotation for the latch. Members 48 are considered to function as brackets and have holes to allow the bearing to pass through which allow

the latch to be mounted. The hook 30, which locks the door, is perpendicular to the fourth lever part, which extends outwardly through through-holes 114 and 120.

Although Ramsauer is drawn to a sliding door, examiner believes that one of ordinary skill in the art would be able to modify the integral design of Buscella with a hinged design taught by Ramsauer and still retain the appropriate movement for a opening/closing washing machine door. The claimed elements were known in the prior art and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

5. In regards to claims 7, 8, and 15, Ramsauer discloses a hinge for the latch assembly comprising parts 46 and 48 which read on support members and brackets as stated above. These parts further read on support projections and seats. The walls 56 and 58 are equivalent to stoppers. Duplication of parts was held to have been obvious. *St. Regis Paper Co. v. Beemis Co. Inc.* 193 USPQ 8, 11 (1977); *In re Harza* 124 USPQ 378 (CCPA 1960). Since Ramsauer already discloses the equivalent structures associated with the second hinge at 22, it would be obvious to include the same structures with the first hinge at 104. In regards to claims 17 and 19, Ramsauer discloses third and fourth lever parts that operate with the first and second lever parts to provide the function of opening the door. In the case of Ramsauer, the second lever part is perpendicular to the first. Rearrangement of parts was held to have been obvious. *In re Japikse* 86 USPQ 70 (CCPA 1955). It would have been obvious to make the third part perpendicular to the fourth instead of the first part perpendicular to the second, thereby providing the same mechanical action. Noting that the handle part is

perpendicular to the latch in the invention of Ramsauer, just as disclosed by the applicant, it could therefore be implemented so that the third lever part extends from the hub horizontally to a transparent part and the fourth lever part extends perpendicularly to the transparent part through the through-holes when implemented in a washing machine. Ramsauer discloses the additional mechanical features of claims 6, 9-11, 13, 14, 16, 18, 22-24 as stated previously.

6. Claims 12, 20, and 21 rejected under 35 U.S.C. 103(a) as being unpatentable over Bucella in view of Ramsauer and further in view of Onderka et al. As stated above, Ramsauer discloses a functionally equivalent locking mechanism including an elastic member that is compressed when the handle is actuated. This elastic member is in the form of a compressible spring, not a wound coil. Wound coils are well known in the art for providing biasing means. Onderka et al. discloses such a coil with legs 56 and 57 disposed about a hub 55 (Figure 10) for providing biasing means to a latch like that disclosed Ramsauer and the applicant. Furthermore, the spring legs are connected to each other by the body of the coil. In regards to the placement of the spring legs, or coil parts, rearrangement of parts was held to have been obvious. *In re Japikse* 86 USPQ 70 (CCPA 1955). Onderka discloses all of the functional parts of the coil, and when implemented in place of the spring on Ramsauer, rearrangement of the legs to fit properly in between the bracket and hub would be obvious. However, independent of this rearrangement, the coil of Onderka is still a functional equivalent to the coil of the applicant. Upon the modification in view of Onderka, claim 21 is rejected on the same grounds as claims 17 and 19 as stated above in paragraph 5. It would have been

obvious at the time of the invention, to modify Buscella as stated above and include the hinged mechanism of Ramsauer, and further include a coil, as taught by Onderka, to provide biasing means of which motivation for is taught in both Ramsauer and Onderka.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON HECKERT whose telephone number is (571)272-2702. The examiner can normally be reached on Mon. to Friday, 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571)272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Barr/
Supervisory Patent Examiner, Art
Unit 1792

JMH

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